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## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of ) Examiner of Parent Application:  
 Fred H. Burbank et al. ) M. Hindenburg  
 )  
 For: BREAST BIOPSY SYSTEM AND ) Group Art Unit: 3736  
 METHODS )  
 )  
 Serial No. 09/929,371 )  
 )  
 Filed: August 13, 2001 )  
 )  
 Docket No.: R0367-00101 )

## CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail, postage prepaid, addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 9/16/03 in San Francisco, CA.

By: Anne Marie Leavy

Anne Marie Leavy

SECOND PRELIMINARY AMENDMENT

Mail Stop Non-Fee Amendments  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Please preliminarily amend the above application as follows:

IN THE CLAIMS

Please amend claims 17, 18, 21, 23, 24, 25, 30, 40, 48 and 49 and add new claims 50-56. A list of the pending claims follows.

PENDING CLAIMS

17. (Currently Amended) [The] A biopsy instrument as recited in Claim 5, wherein said instrument further comprises comprising an elongated shaft, a cutting